

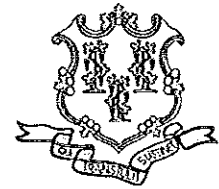


**STATE OF CONNECTICUT
DEPARTMENT OF CHILDREN AND FAMILIES**

Public Hearing Testimony

Judiciary Committee

March 14, 2016



**H.B. No. 5052 - AN ACT STRENGTHENING PROTECTIONS FOR VICTIMS OF HUMAN
TRAFFICKING**

The Department of Children and Families (DCF) supports H.B. No. 5052, An Act Strengthening Protections for Victims of Human Trafficking.

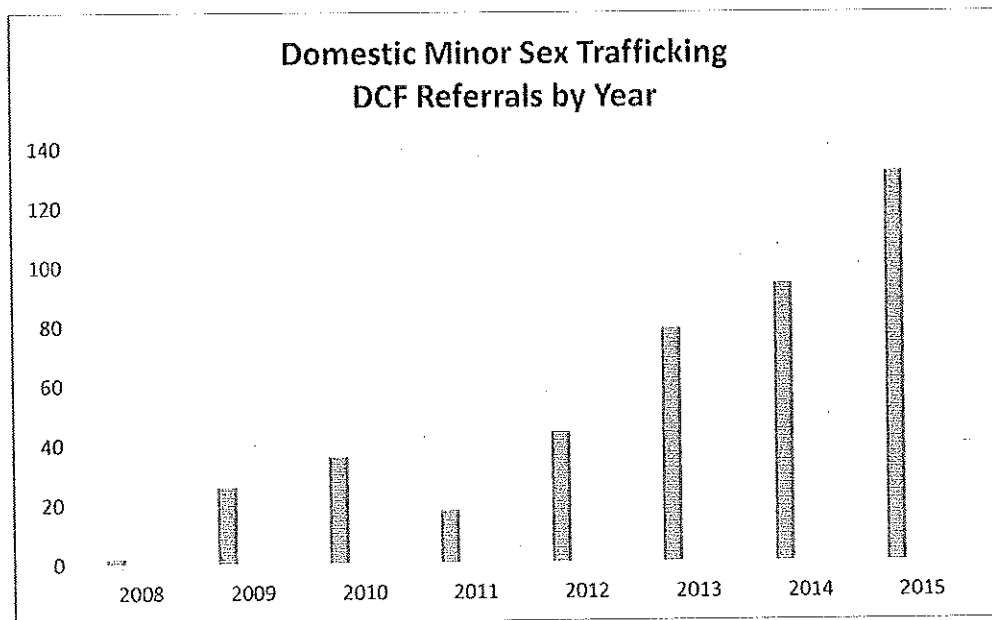
The bill, proposed by Governor Malloy, strengthens protections for minor victims of human trafficking by:

- Section 1 - amends the enticing a minor statute to allow for a conviction if the person contacted is reasonably believed to be a minor.
- Section 2 - amends the trafficking in persons statute to eliminate the requirement to prove more than one occurrence of sexual contact if the person trafficked is a minor.
- Section 3 - makes patronizing a trafficked person an offense if such person knew or reasonably should have known that the other person is a minor and a victim of trafficking.
- Section 4 - includes the trafficking of a minor as an offense that allows the court to issue a standing criminal protective order requiring convicted traffickers to stay away from victims.
- Section 5 - requires that hotels and other accommodations maintain a computerized record-keeping system of all guests and transactions and maintain those records for not less than six months.

Human trafficking is a growing concern for Connecticut. Also known as modern slavery, human trafficking is a crime that involves the exploitation of a person for the purpose of compelled labor or a commercial sex act. Since the passage of the federal Trafficking Victims Protection Act (TVPA) in 2000, law enforcement investigators, social service providers, and community leaders have reported cases of forced labor, debt bondage, involuntary servitude and sex trafficking, impacting a diverse range of populations including men, women, and children, who are U.S. citizens, permanent residents or foreign nationals. Human trafficking cases occur across the country, in rural, urban and suburban settings and in a wide range of industries.

Among the diverse populations affected by human trafficking, children are at particular risk for sex trafficking and labor trafficking. The Department of Children and Families is charged with and responsible for protecting all children under the age of eighteen from harm. This includes victimization through means of human trafficking.

The need to provide enhanced protections for minor victims is clear. In 2015, DCF received a total of 133 referrals of youth at risk or are confirmed victims of Domestic Minor Sex Trafficking (DMST) and Commercial Sexual Exploitation of Children (CSEC). Over the past eight years DCF has seen a dramatic increase in our referrals. This increase leads us to believe that our awareness efforts are resulting in identification of youth who are being exploited. Unfortunately, this trend also indicates to us that there are many unidentified victims in our state that is in need of rescue and support.



Over the past several years, the General Assembly has enacted legislation to promote public awareness and prevention of child sex trafficking, to provide for ongoing monitoring of efforts to combat trafficking, to clarify mandatory reporting, and to provide a statewide oversight and monitoring body. DCF has increasingly sharpened its focus on the growing issue of DMST and CSEC afflicting children across the state. Between 2008 and 2015, 432 children have been referred to DCF as possible victims of DMST/CSEC. Connecticut DCF has put forth efforts to end the sale of our children. These efforts fall within three categories:

- Identification and Response;
- Awareness and Education;
- Restoration and Recovery.

A Human Anti-trafficking Response Team (HART) was created in order to focus on and reduce commercial sexual exploitation of children and domestic minor sex trafficking. The HART leadership consists of all of the HART coordinators, five representative of multi-disciplinary teams and specialty members based on the focus of the team at that time. The HART focuses on the system response with an emphasis on collaboration and partnerships. Membership includes, but is not limited to: all levels of law enforcement, medical providers, mental health providers, HART liaisons, multi-disciplinary coordinators, forensic interviewers, service providers, victim advocates, and faith-based networks. Each of DCF's six regions have localized HARTs focusing on individual cases and local resource collaboration. These are inter-disciplinary teams lead by

experienced HART Liaisons and includes; the child's treatment team, specialized providers, and legal representation if indicated. The HART Liaison works with the local multi-disciplinary team ensuring the child and families are provided the appropriate medical and mental health services to victims and the cases are afforded resources to assist criminal prosecution of perpetrators.

S.B. No. 427 - AN ACT CONCERNING CHILDREN IN THE JUVENILE JUSTICE SYSTEM AND GUARDIANSHIP APPOINTMENT

The Department of Children and Families (DCF) offers the following comments regarding S.B. No. 427, An Act Concerning Children in the Juvenile Justice System and Guardianship Appointment. This bill would provide that children committed to the Department of Children and Families receive credit for such time upon the disposition of their case, to allow certain unmarried persons under the age of twenty-one to be appointed a guardian, solely in connection with a petition to the United States Citizenship and Immigration Services for designation of the person as having special immigrant juvenile status and to revise record retention and erasure requirements with respect to delinquency and family with service needs proceedings in the Superior Court.

DCF **opposes** Section 1 of this bill which purports to reduce a child's commitment by the number of days spent in pretrial detention. We believe the proposal could have a negative impact a youth's treatment. A delinquency commitment, unlike an adult criminal sentence, is not imposed for a set period of time. Section 46b-141 of the General Statutes states that that commitments are "indeterminate" (except that they shall not exceed 18 months or four years, depending on the offense and can be ordered for a minimum of 12 months for serious juvenile offenses). The time spent under commitment may be at the Connecticut Juvenile Training School (CJTS), at a residential facility or group home, in foster care or with family members, or a combination of these options. The focus is treatment and rehabilitation when the professionals, in consultation with the youth's family, determine that the youth is ready for discharge, he or she is discharged regardless of how much time is technically left on the commitment.

CJTS completed the implementation of a length of stay protocol based on a structured decision making matrix in October, 2014. As a result, the average length of stay at CJTS was reduced from 196.7 days in 2014, to 161 days in 2015.

H.B. No. 5608 - AN ACT CONCERNING A GRANDPARENT'S RIGHT OF VISITATION WITH A GRANDCHILD

The Department of Children and Families (DCF) offers the following comments regarding H.B. No. 5608, An Act Concerning a Grandparent's Right of Visitation with a Grandchild. This bill would allow a grandparent a right of visitation with a minor child if the grandparent establishes by clear and convincing evidence that compelling circumstances exist to support visitation with the minor child.

DCF is concerned that this bill could shift the balance between constitutional rights of parents to make decisions in the best interests of their children, with the desire of grandparents to be an important part of their grandchildren's lives. We urge the Committee to view this proposal with great caution to ensure consistency with the Connecticut Supreme Court's ruling in *Roth v. Weston*, 259 Conn. 202 (2002).

In 2011, the General Assembly passed Special Act 11-12 which established a task force to study issues related to visitation rights for grandparents. This task force examined issues related to visitation rights for grandparents, including: 1) legal and social issues related to grandparents' access to visitation; 2) impact of the loss of contact on families; 3) social supports to promote the continuation of these relationships; and 4) legislative proposals that are consistent with the state constitution. Recommendations of this task force were enacted as Public Act 12-137 which established factors that the court may consider when determining whether a parent-like relationship exists between the petitioner and the minor. The act also specified visitation terms and conditions the court may set and that any visitation rights granted to a third party do not prevent a custodial parent from relocating.

S.B. No. 444 - AN ACT CONCERNING PENALTIES FOR FAMILY VIOLENCE CRIMES THAT A CHILD WITNESSES AND ESTABLISHING A WORKING GROUP CONCERNING INFORMATION AND COMMUNICATIONS RELATED TO VICTIMS OF FAMILY VIOLENCE

H.B. No. 5621 - AN ACT CONCERNING HUMAN TRAFFICKING

H.B. No. 5623 - AN ACT CONCERNING VIOLENCE AGAINST WOMEN AND VICTIMS OF HUMAN TRAFFICKING

The Department of Children and Families (DCF) offers the following comments regarding S.B. No. 444, An Act Concerning Penalties for Family Violence Crimes that a Child Witnesses and Establishing a Working Group Concerning Information and Communications Related to Victims of Family Violence, H.B. No. 5621, An Act Concerning Human Trafficking and H.B. No. 5623, An Act Concerning Violence Against Women and Victims of Human Trafficking.

DCF conceptually supports much of what is contained in each of these bills however, provisions related to additional training, reporting requirements and working groups may be difficult to comply with given the current fiscal circumstances. The Department of Children and Families offers its willingness to work on these bills with members of the Committee and other stakeholders in furtherance of our mutual goal to keep Connecticut residents safe from violence and human trafficking.

In addition to the background information that we provided in our testimony on H.B. No. 5052 regarding DCF's response to domestic minor sex trafficking, the Department would like to share with the members of the Judiciary Committee some general information regarding DCF's role related to intimate partner violence.

The number and percent of accepted DCF reports that include allegations of intimate partner violence (IPV) from calendar year 2000 through calendar year 2015 has remained consistent at approximately 20%. This reflects only the reports that are received and accepted with allegations of intimate partner violence and does not reflect the additional instances of intimate partner violence discovered through assessment.

In 2013, DCF formed the Office of Intimate Partner Violence and Substance Use Treatment and Recovery with the mission to establish a comprehensive response to families impacted by IPV. Over the prior nine years, the Department had established a foundation for working with families with intimate partner violence, using the *Safe & Together Model* and provider-based domestic violence consultants. In 2013, utilizing the *Greenbook Initiative* as the guiding framework to develop interventions and measure progress to improve responses to families experiencing domestic violence and child maltreatment, the Department moved forward by creating the first ever IPV Program Development and Oversight Coordinator staff position and created internal IPV Specialists (IPVS) for all DCF Area Offices.

As members of the Regional Resource Group, the role of the IPVS is to provide consultation, support, leadership and coordination to improve outcomes for children and families impacted by domestic violence. The Specialist utilizes a family, strength based approach that integrates non-clinical and clinical approaches to support child protection practice and service provision and coordination. This approach focuses heavily on supporting frontline workers with specific cases and in some instances, includes direct consultation with families. The Specialist has the opportunity to offer guidance to social workers especially as it pertains to information and resources that can help the entire family system. The Specialists also have the opportunity to promote systems change. The positions focus heavily on education and training both within the agency and in the community.

The Department has also prioritized and emphasized: increasing the capacity to respond to families impacted by intimate partner violence, training the DCF workforce in best practices in responding to intimate partner violence, assessing and meeting the needs of low, moderate and high risk families through a complete service array, and collecting relevant and meaningful data to inform practice and continue with ongoing evaluation and adaptation. The best practices and evidence-based models which the Department has supported include: expanded use of the Protective Order Registry, the Safe Dates Teen Violence Prevention Model, Moms Empowerment/Kids Club, the VIGOR Safety Plan, increased access to trauma informed care for children, and a safe sleep initiative.